



Town of Loxahatchee Groves

Regular Town Council Meeting

Tuesday, June 5, 2012 at 7:00 p.m.

Loxahatchee Groves Water Control District, 101 West "D" Road

MINUTES

1. Opening

- a. Call to Order& Roll Call

Mayor Browning called the meeting to order at 7:02 p.m. Present were Mayor David Browning, Vice Mayor Jim Rockett, and Council Member Ronald D. Jarriel. Also present were Town Manager Mark Kutney, Town Clerk Susan Eichhorn, and Town Attorney Michael D. Cirullo, Jr. Council Members Tom Goltzené and Ryan Liang were not in attendance.

- b. Pledge of Allegiance & Invocation -Mayor Browning
- c. Approval of Agenda

Councilman Jarriel added Item 9 c. Discussion of home business operated by Jerry and Janet Eick.

Motion: Vice Mayor Rockett moved approval of the Agenda, as amended. Councilman Jarriel seconded the motion, which passed 3/0.

Consent Agenda

- a. Invoices from Goren, Cherof, Doody & Ezrol, P.A.

Motion: Vice Mayor Rockett moved approval of the Consent Agenda. Councilman Jarriel seconded the motion, which passed 3/0

2. Presentations - *None*

3. Committee Reports- *None*

4. Public Hearings -Ordinances 2nd Reading - *None*

5. Ordinances -1st Reading- *Public Hearings*

Ord. No. 2012-06

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PROVIDING FOR A MORATORIUM UNTIL NOVEMBER 30, 2012 ON THE PROCESSING AND REVIEW OF APPLICATIONS FOR AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN, INCLUDING FUTURE LAND USE MAP AMENDMENTS AND TEXT AMENDMENTS, WITHIN THE CORPORATE BOUNDARIES OF THE TOWN AS OF APRIL 17, 2012; PROVIDING FOR EXEMPTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Cirullo read Ordinance No. 2012-06 by title.

Mayor Browning called for public comments. There were none.

Councilman Jarriel suggested that the town council hold off on a vote, due to a letter relating to this matter that had been received in the mail.

After brief discussion, it was determined that the ordinance would be scheduled for second reading on June 26, 2012.

Motion: Vice Mayor Rockett moved approval of Ordinance No. 2012-06 on first reading. Mayor Browning seconded the motion. Councilman Jarriel opposed the motion, which passed 2/1.

6. Resolutions - *None*

7. Administrative Update – Town Manager Kutney

- Website development training will take place with staff and the vendor.
- Several of the town meetings are now available on the web, via You-tube, on the Loxahatchee Groves channel.
- Intergovernmental Committee Meeting on June 13, 2012 regarding interlocal agreements was moved to June 18, 2012 at 10:00 a.m.
- FACC meeting will be held on June 7, 2012 at 7:00 p.m. at the Chamber of Commerce to review proposals from two banks.

- Code Enforcement – setback issue; tree mitigation issue discussion deferred until the June 26, 2012 town council meeting, when a full council is available.

Mayor Browning and Councilman Jarriel preferred waiting to discuss the issue.

Motion: Councilman Jarriel moved deferral of discussion of code enforcement issues until the June 26, 2012 town council meeting. Mayor Browning seconded the motion. Vice Mayor Rockett opposed the motion, which passed 2/1.

- Commence ULDC draft after the town has obtained a vendor and commenced the review of the ULDC drafts.

8. Old Business- *None*

9. New Business

- a. Planning process for the determination of non-district roadways that will merit OGEM treatment. (Councilman Jarriel)

Councilman Jarriel presented a process plan for the requirements for determining how non-district roadways will merit OGEM treatment. Discussion took place.

Motion: Councilman Jarriel moved acceptance of the process plan as presented. Vice Mayor Rockett seconded the motion for discussion.

Public comment was heard from the following:

Marsha Newell. “C” Road, regarding costs for road improvements should be divided equally between all land owners.

Mayor Browning read into the record the following public comments in favor of improvements to non-district roadways into the record:

David Self, 3730 161st Terrace North

Sharon Jarriel, 2800 161st Terrace, North

Joan McLendon, 3576 161st Terrace, North

John Paradis, 3237 “A” Road

Larry Carlton, 4461 161st Terrace, North

Cheryl Rush, 3668 161st Terrace, North

Dawn Snowball, 3032 161st Terrace, North

Lidia Svaighert, 3361 161st Terrace, North

Linda Brown, 3423 161st Terrace, North

Jon Ingram, 3546 161st Terrace, North

Ron Jarriel, 2800 161st Terrace, North

Harold Benson, 3055 161st Terrace, North

Discussion continued.

Motion: Councilman Jarriel withdrew his motion to accept the process plan as presented.

Motion: Councilman Jarriel moved to direct staff to send guidelines to the town council members for input and discussion at the July 17th town council meeting. The motion was seconded by Vice Mayor Rockett. The motion carried 3/0.

Mayor Browning requested that the collecting canal costs would be included in cost estimations.

- b. Consideration of town council approval of the application of OGEM for 161st Terrace. (Councilman Jarriel)
- c. Discussion related to home business of Jerry and Janet Eick, 3481 “B” Road, Loxahatchee, FL. (Councilman Jarriel).

Councilman Jarriel reported that Jerry and Janet Eick had received an Order to Cease All Business Activity in regard to their selling hay on their property at 3481 “B” Road. He read comments from Jerry and Janet Eick into the record.

Discussion took place.

Public Comment:

Marianne Miles, 3423 “B” Road, in support of Jerry and Janet Eick.

Dennis Lipp, 3402 North Road, in support of Jerry and Janet Eick.

Motion: Councilman Jarriel moved approval of directing staff to review the ULDC and formulate options to resolve the issue of home based “mom and pop” type operations within the town. Vice Mayor Rockett seconded the motion. Motion carried 3/0.

Attorney Cirullo clarified that the review would apply to only home based operations, and that the issue would go to the Planning and Zoning Board before returning to the Town Council. He also noted that all enforcement action would be abated during the review process.

10. Closing Comments

a. Public

Marsha Newell, regarding her concern with speed bumps on “C” Road. She read a letter, dated May 16, 2012, into the record from her physician.

(Mayor Browning explained that the letter roads were Loxahatchee Groves Water Control District (LGWCD) roads, and that the issue should be brought to them.

Marsha Newell, “C” Road, regarding opinions that she stated that she had heard from LGWCD employees regarding a current Sheriff’s office matter.

Ronny Correll, 3442 “C” Road, commented regarding road improvements and who should pay for them.

Cassie Suchy, “B” Road, regarding improvements on non-district roads.

b. Town Attorney

Attorney Cirullo referred to a letter dated May 25, 2012, from the attorney for Willie and Frankie Day requesting reconsideration of an ordinance that did not pass.

After discussion, it was determined that there would not be reconsideration at this time, and that the Planning and Zoning board would discuss options for low impact, non-residential uses on Okeechobee Blvd.

c. Town Council Members

Vice Mayor Rockett – thanked everyone for coming to the meeting, and noted that the town council had the opportunity to address a problem and provide a resolution tonight. He requested a brief update from Lt. Combs, to which the response was that there was nothing new to report.

Councilman Jarriel - thanked everyone for coming to the meeting.

Mayor Browning – thanked everyone for coming to the meeting, and suggested that everyone think about why the town had incorporated.

11. Adjournment

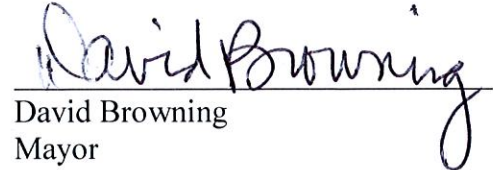
Vice Mayor Rockett moved to adjourn the meeting at 8:32 p.m. Mayor Browning seconded the motion, which passed 3/0.

The next Town Council Meeting is scheduled for Tuesday June 26, 2012 at 7:00 p.m.

**These minutes were approved by the
Town Council on Tuesday, August 7, 2012.**



Susan Eichhorn
Town Clerk



David Browning
Mayor

SEAL